

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA OF
EASTERN DIVISION

ORDER

This cause is before the Court on Defendant ReliaStar Life Insurance Company's Motion to Dismiss the Complaint and to Strike Class Action Claims, and Supporting Memorandum of Law (Doc. # 4) filed on December 22, 2005. These motions are directed to the original complaint in this action. On January 20, 2006, Plaintiff filed an Amended Complaint (Doc. #9). In light of the filing of the Amended Complaint, the Defendant ReliaStar Life Insurance Company's Motion to Dismiss the Complaint and to Strike Class Action Claims, and Supporting Memorandum of Law (Doc. # 4) is DENIED as MOOT. Furthermore, to the extent that Plaintiff's response to that motion (Doc. # 11) included a motion to stay and conduct discovery prior to ruling on the defendant's motion, it is also DENIED as MOOT.

DONE this the 22nd day of March, 2006.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE